

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
CENTRAL DIVISION

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UNITED STATES OF AMERICA,

CR 19-30093-RAL

Plaintiff,

FACTUAL BASIS STATEMENT

vs.

FRANCINE MARIA MIDDLETENT,

Defendant.

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The Defendant states that the following facts are true, and the parties agree that they establish a factual basis for the offense to which the Defendant is pleading guilty pursuant to Fed. R. Crim. P. 11(b)(3):

Beginning on a date unknown, but no later than on or about March 2014 through on or about February 2019, in the District of South Dakota, the Defendant, FRANCINE MARIA MIDDLETENT, did embezzle, steal, willfully misapply, willfully permit to be misapplied, and convert to her own use more than \$1,000 of monies, funds, credits, goods, assets, and other property belonging to the Crow Creek Sioux Tribe ("CCST"), an Indian Tribal Organization, and did aid and abet others in committing the offense, all in violation of 18 U.S.C. §§ 2 and 1163. Among others, Defendant FRANCINE MARIA MIDDLETENT aided and was aided by Roland Robert Hawk, Sr., Jacqueline Ernestine Pease, Brandon Sazue, Tina Grey Owl, and Roxanne Sazue.

FRANCINE MIDDLETENT was an elected member of the CCST Tribal Council from May 2016 through May 2018. Prior to being on the CCST Tribal

Council, MIDDLETENT worked in the accounts payable department of the CCST. After leaving the CCST Tribal Council, MIDDLETENT was hired as the Chief Financial Officer for the CCST. ROLAND HAWK was her supervisor, and, during MIDDLETENT's term on tribal council, Brandon Sazue served as the tribe's Chairman, both of whom possessed signature authorization over the General Welfare Program's bank account. Brandon Sazue endorsed many of the checks drawn from the CCST's General Welfare Account and made payable to himself or to his co-councilmembers and co-defendants, including MIDDLETENT; Brandon Sazue endorsed more than one check drawn from the General Welfare bank account that was embezzled, misused, or converted to his own use or to the use of one of his co-defendants, including MIDDLETENT and HAWK.

Defendant's offense conduct involved her receipt of more than \$150,000 but not more than \$250,000. The money received derived from the CCST's General Welfare Account. Defendant's receipt of that money was unlawful; likewise, MIDDLETENT's co-defendants' receipt of that money was unlawful.

1/17/20  
\_\_\_\_\_  
Date

RONALD A. PARSONS, JR.  
United States Attorney

  
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1-15-2020  
Date

Francine Maria Middleton  
FRANCINE MARIA MIDDLETENT  
Defendant

1-15-2020  
Date

W. L. Fischer  
WADE L. FISCHER  
Attorney for Defendant